

## **REMARKS**

Applicant respectfully requests entry of the following amendments and remarks in response to the Office Action mailed June 26, 2008. Applicant respectfully submits that the amendments and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 1 – 19 are pending. In particular, Applicant adds claims 13 – 19. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Rejections Under 35 U.S.C. §103**

#### **A. Claim 1 is Allowable Over Hickey**

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0087646 (“*Hickey*”). Applicant respectfully traverses this rejection for at least the reason that *Hickey* fails to disclose, teach, or suggest all of the elements of claim 1. More specifically, claim 1 recites:

A communication system comprising:  
a client-side group email folder accessible by each user in a predefined group of users; and  
a group email message in the client-side group email folder, the group email message having indicators, ***each indicator corresponding to a user in the predefined group of users, each indicator being configured to indicate whether the corresponding user has acted upon the group email message,***  
wherein the group email message is stored in a common database such that the users in the predefined group of users have access to the group email message via the database,  
wherein the communication system is configured to provide an email interface for providing the group email message and an option to view at least one user-specific email, the user-specific email being different than the group email message.

***(Emphasis added).***

Applicant respectfully submits that claim 1 is allowable over the cited art for at least the reason that *Hickey* fails to disclose, teach, or suggest a “communication system comprising... a

group email message in the client-side group email folder, the group email message having indicators, ***each indicator corresponding to a user in the predefined group of users, each indicator being configured to indicate whether the corresponding user has acted upon the group email message***" as recited in claim 1. More specifically, *Hickey* discloses:

group electronic mailbox 25yx [that] includes status indicator 57xz for each of the one or more electronic communications 53yx, [(jz can be any integer for indexing status indicators)... Status information includes, but is not limited to, read information, acted upon information, and replied information. In response to acts by one member of group 22A1 that cause a status change, a signal is transmitted to update the associated status indicator 57A1 for any other group member viewing the status indicator 57A11

(page 4, paragraph [0043]). As illustrated in this passage, *Hickey* appears to disclose that a single status indicator is utilized for a group email message for all members of the group. Further, it appears that the single status indicator simply indicates that a change in status has occurred (e.g., that anyone has accessed the email), but not that a particular member of the group has performed any particular action. This is different than claim 1 for at least the reason that claim 1 recites "***each indicator corresponding to a user in the predefined group of users, each indicator being configured to indicate whether the corresponding user has acted upon the group email message.***" For at least this reason, claim 1 is allowable.

**B. Claim 10 is Allowable Over *Hickey***

The Office Action indicates that claim 10 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0087646 ("*Hickey*"). Applicant respectfully traverses this rejection for at least the reason that *Hickey* fails to disclose, teach, or suggest all of the elements of claim 10. More specifically, claim 10 recites:

A communication method comprising:  
providing indicators in a group email message, the group email message being provided to a predefined group of users, ***each indicator corresponding to one of the users in the predefined group of users, each indicator having a setting, each indicator configured to indicate whether the***

*corresponding user has acted upon the group email message;*

changing the setting of one indicator in response to the email message being acted upon by its corresponding user; and

providing an email interface for providing the group email message and an option to view at least one user-specific email, the user-specific email being different than the group email message,

wherein the group email message is stored in a common database such that the users in the predefined group of users have access to the group email message via the database.

***(Emphasis added).***

Applicant respectfully submits that claim 10 is allowable over the cited art for at least the reason that *Hickey* fails to disclose, teach, or suggest a “communication method comprising... providing indicators in a group email message, the group email message being provided to a predefined group of users, ***each indicator corresponding to one of the users in the predefined group of users, each indicator having a setting, each indicator configured to indicate whether the corresponding user has acted upon the group email message***” as recited in claim 10. More specifically, *Hickey* discloses:

group electronic mailbox 25yx includes status indicator 57xz for each of the one or more electronic communications 53yx, [(z can be any integer for indexing status indicators)... Status information includes, but is not limited to, read information, acted upon information, and replied information. In response to acts by one member of group 22A1 that cause a status change, a signal is transmitted to update the associated status indicator 57A1 for any other group member viewing the status indicator 57A1]

(page 4, paragraph [0043]). As illustrated in this passage, *Hickey* appears to disclose that a single status indicator is utilized for a group email message for all members of the group. Further, it appears that the single status indicator simply indicates that a change in status has occurred (e.g., that anyone has accessed the email), but not that a particular member of the group has performed any particular action. This is different than claim 10 for at least the reason that claim 10 recites “***each indicator corresponding to one of the users in the predefined group of users, each indicator having a setting, each indicator configured to indicate***

***whether the corresponding user has acted upon the group email message.***" For at least this reason, claim 10 is allowable.

**C. Claims 2 – 7, 9, and 11 – 12 are Allowable Over Hickey**

The Office Action indicates that claims 2 – 7, 9, and 11 – 12 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0087646 ("*Hickey*"). Applicant respectfully traverses this rejection for at least the reason that *Hickey* fails to disclose, teach, or suggest all of the elements of claims 2 – 7, 9, and 11 – 12. More specifically, dependent claims 2 – 7 and 9 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 1. Further, dependent claims 11 – 12 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 10. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

**D. Claim 8 is Allowable Over Hickey in view of Stark**

The Office Action indicates that claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0087646 ("*Hickey*") in view of U.S. Patent Publication Number 2003/0233420 ("*Stark*"). Applicant respectfully traverses this rejection for at least the reason that *Hickey* in view of *Stark* fails to disclose, teach, or suggest all of the elements of claim 8. More specifically, dependent claim 8 is believed to be allowable for at least the reason that this claim depends from and include the elements of allowable independent claim 1. Because *Stark* fails to overcome the deficiencies of *Hickey*, claim 8 is allowable as a matter of law. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

**II. New Claims 13 – 19 Are Allowable**

Additionally, Applicants add new claims 13 – 19. New claim 13 is allowable for at least the reason that claim 13 includes a "computer readable medium that includes a computer program that, when executed by a computer, performs at least the following... providing indicators in a group email message, the group email message being provided to a predefined group of users, each indicator corresponding to one of the users in the predefined group of users, each indicator having a setting, each indicator configured to indicate whether the corresponding user has acted upon the group email message." Further, claims 14 – 19 are allowable for at least the reason that these claims depend from allowable independent claim 13. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

### **CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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